

EXHIBIT D

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

- - - - -x

4 CIERA WASHINGTON,

Plaintiff,

5 -against-

6 WALGREENS; WALGREENS CO.; DUANE READE;
DUANE READE INC.; DUANE READE
INTERNATIONAL, LLC; and Individually and
7 Jointly; LUIS GUERRERO; GERMAINE ALLEN;
VIVIAN GHOBRIAL; and CRYSTAL BECKRUM,

8 Defendants.

Civil Case No. 17-CV-02393

9 - - - - -x

10 1250 Broadway

New York, New York

11 April 3, 2018

12 1:07 p.m.

13
14 CONTINUED DEPOSITION of MICHAEL GEYER,
15 a witness appearing on behalf of the
16 Defendants in the above-entitled action,
17 held at the above time and place, taken
18 before Brian Brenner, a Shorthand Reporter
19 and Notary Public of the State of New
20 York, pursuant to the Federal Rules of
21 Civil Procedure, Court Order and
22 stipulations between Counsel.

23 * * *

1 M. GEYER

2 A Not really anything.

3 Q How about the Complaint in this
4 action? Did you review that?

5 A I did. I should add that I
6 looked at the interrogatory responses as
7 well.

8 Q Defendants' interrogatory
9 responses?

10 A Yes.

11 Q Why did you do that?

12 A Just to familiarize myself with
13 again what I might be asked about with
14 regards to today's testimony.

15 Q Any other documents or
16 information you might have reviewed or
17 that you reviewed?

18 A Not that I recall.

19 Q With respect to Defendants'
20 interrogatory responses, when did you
21 review those documents?

22 A Yesterday.

23 Q What about any other time before
24 then?

25 A Yeah. Probably a week or so

1 M. GEYER

2 ago.

3 Q Any other time?

4 A I don't recall. I don't believe
5 so.

6 Q So you had never seen
7 Defendants' interrogatory responses before
8 a week ago?

9 A Not that I recall.

10 Q How about the information
11 contained in --

12 MS. MORRISON: Strike that.

13 Q How about knowledge of the
14 information contained in Defendants'
15 responses? Did you --

16 A I am not sure what you mean by
17 contained.

18 Q You got it. I initially asked
19 you -- and again I'm just trying to know
20 when you reviewed documents or when you
21 were aware of information contained in
22 those documents. That's what I'm asking
23 you. So you already testified as to when
24 you reviewed Defendants' interrogatory
25 responses themselves.

1 M. GEYER

2 A Yes.

3 Q And you said to your knowledge
4 you didn't review them before a week ago.

5 A Yes.

6 Q So how about -- so contrary to
7 you reviewing the actual documents, you're
8 aware that Defendants made interrogatory
9 responses, right?

10 A Yes.

11 Q And so you're aware of the
12 responses in sum and substance that
13 Defendants made to Plaintiff's
14 interrogatories, correct?

15 A Yes.

16 Q That information, the
17 information contained therein, in
18 Defendants' interrogatory responses, when
19 did you first become aware of that
20 information?

21 A I believe it's one and the same.
22 Like, a week ago.

23 Q A week ago?

24 A Yes.

25 Q But not before a week ago?

1 M. GEYER

2 A I don't believe so.

3 Q How about the Complaint? When
4 did you become aware -- when did you
5 review the Complaint?

6 A I mean, prior to the first time
7 I was here, and I believe that was
8 February or so, so maybe December-ish,
9 something like that.

10 Q Of what year?

11 A It would have been, I guess,
12 '17.

13 Q So you didn't review the
14 Complaint before 2017?

15 A No, I don't believe so.

16 Q When did you become aware of the
17 allegations, the sum and substance
18 contained in the Complaint, if you are
19 aware?

20 A I would be guessing, to be
21 honest with you, so as just an educated
22 guess I would say maybe six months prior.
23 Maybe the end of the -- the end of the
24 summer, maybe, something like that, '17.

25 Q But not prior to 2017 did you

1 M. GEYER

2 Q And why did you review the
3 handbook?

4 A Just to try to familiarize
5 myself again with some things that are
6 there that maybe is not at the top of mind
7 for me right now. Stuff like that.

8 Q Understood, and again I'm just
9 going through this just to figure out the
10 reasons for reviewing documents. That's
11 all.

12 A Okay.

13 Q When you reviewed the
14 interrogatories a week ago or within the
15 last week, the Defendants' interrogatory
16 responses, I should say, is that when you
17 learned what Defendants' interrogatory
18 responses were in sum and substance?

19 A I think -- I believe that's
20 accurate. Yes.

21 Q I'm doing this to refresh my
22 recollection now. That's why I am
23 pausing, just so you know. Do you recall
24 testifying in your last deposition day
25 that you didn't have any information

1 M. GEYER

2 related to Plaintiff Ciera Washington
3 specifically?

4 A Correct.

5 Q So that statement when you made
6 that statement was accurate?

7 A It is contract.

8 Q And it's still accurate?

9 A It's still accurate.

10 Q So you have no information,
11 personal knowledge, what have you, with
12 respect to Plaintiff specifically; is that
13 correct --

14 MS. MORRISON: Strike that.

15 Q Let me say that differently.
16 You don't know specifically about
17 Plaintiff's specific claims and what
18 happened, correct?

19 A I was not involved in her
20 situation directly. The only way that I
21 knew things was just in gathering
22 information for the lawyers and regards to
23 -- to have access to this file or this
24 particular situation or what do you know,
25 so in that regard I know some things

1 M. GEYER

2 because I've read things, but again I was
3 not involved with being part of her --
4 part of the specific information in Duane
5 Reade, so I know of it and became -- I
6 will use the term educated just reading
7 documents and having conversations.
8 That's all.

9 Q So you provided documents to
10 defense counsel in connection with
11 responses to Defendants' interrogatories,
12 right?

13 A Yes.

14 Q Do you recall testifying -- I
15 don't want to put words in your mouth so
16 correct me if what I'm saying is wrong or
17 inaccurate in any way, okay?

18 A Yes.

19 Q Do you remember testifying in
20 your first deposition day that the only
21 information you know about with respect to
22 Plaintiff --

23 MS. MORRISON: Strike that.

24 Q You know only general
25 information related to the policies that

1 M. GEYER

2 you were testifying to as a 30(b)(6)
3 witness?

4 A Yes.

5 MS. WELCH: Objection to the
6 question.

7 Q And do you recall testifying
8 that in sum and substance you didn't know
9 any specific information related to
10 Plaintiff?

11 A I recall that.

12 Q And was that a correct
13 statement?

14 A That was.

15 Q So with respect to -- for
16 instance, with respect to Defendants'
17 policies at the time in 2015 or around
18 2016 --

19 MS. MORRISON: Strike that.

20 Q So with respect to Defendants'
21 policies with respect to employees
22 complaining of discrimination, for
23 example, you have no knowledge regarding
24 Plaintiff's specific complaints or lack
25 thereof?

1 M. GEYER

2 MS. WELCH: Objection.

3 Q Is that right?

4 MS. WELCH: Objection.

5 Go ahead.

6 A I do not have any knowledge
7 about that specifically.

8 Q So that's a correct --

9 A That is a correct statement. It
10 was then. It is now.

11 Q And it is now?

12 A Yes.

13 Q Do you recall reviewing --

14 MS. MORRISON: Strike that.

15 Q When I say do you have any
16 knowledge, let's just define it otherwise
17 it's going to be long questions from now
18 on. When I say knowledge or when you say
19 knowledge, can we agree that knowledge is
20 broad? In other words, you don't have to
21 personally have seen Plaintiff do
22 something or personally witnessed
23 something being done, but your knowledge
24 would include reviewing documents and
25 speaking to people related to that topic.

1 M. GEYER

2 Is that fair to say?

3 A I can agree to that.

4 Q So let me ask you the question
5 again: When you said you had no knowledge
6 -- when you testified in your first
7 deposition before today whether or not
8 Plaintiff complained of discrimination,
9 was that a -- do you recall making that
10 discrimination?

11 A I could.

12 Q And was that an accurate
13 statement?

14 A I believed that to be accurate.

15 Q So you have no knowledge with
16 respect to whether Plaintiff complained of
17 discrimination or didn't complain of
18 discrimination, either way?

19 A Not either way, correct.

20 Q And either way you have no
21 knowledge with respect to whether or not
22 Plaintiff complained of being retaliated
23 against at work, correct?

24 A I might have read that that
25 happened somewhere, but that would be,

1 M. GEYER

2 Q How about harassed?

3 A I don't recall that
4 specifically.

5 Q So you don't know if -- you've
6 never reviewed or been privy to or any
7 information related to whether or not
8 Plaintiff complained that she was being
9 harassed at work?

10 A No, I don't.

11 Q When I say retaliation or
12 harassment -- let me take them one at a
13 time. When I say harassment what do you
14 understand that term to mean? I think you
15 did this already before in your statement,
16 but --

17 A I mean, there's many forms of
18 harassment, both physical and nonphysical.
19 It could be harassed for sexual
20 orientation, you know, or gender or
21 whatnot.

22 Q Understood, so when I say
23 harassment or when I said harassment today
24 or during this deposition is it fair to
25 say that your understanding of harassment

1 M. GEYER

2 when I used that term was that someone was
3 doing something to someone else or
4 harassing them because of their race or
5 their gender or sexual orientation or what
6 have you?

7 A Yes.

8 Q And how about discrimination?
9 When I said discrimination today and you
10 responded, did you -- was your
11 understanding that discrimination meant
12 that someone was treating someone
13 negatively in some way because of their
14 race or their gender or disability or what
15 have you?

16 A Yes.

17 Q And how about retaliation? When
18 we were discussing retaliation -- when we
19 were discussing retaliation, do you
20 understand retaliation to mean that
21 someone was treating someone negatively
22 because they were retaliating against the
23 complaint of discrimination?

24 A Yes.

25 Q So when you responded that you

1 M. GEYER

2 might have reviewed something that
3 indicated that Plaintiff complained of
4 retaliation that was your understanding of
5 retaliation when you made that response
6 earlier?

7 A Yes.

8 Q We talked about harassment,
9 discrimination, retaliation, and we talked
10 about your understanding of that, so let's
11 keep that understanding if either one of
12 us mentions those terms at any point
13 during this deposition just to make things
14 clear.

15 A I understand.

16 Q How about -- do you have any
17 knowledge of whether Plaintiff --

18 MS. MORRISON: Strike that.

19 Q Do you recall testifying at your
20 first deposition in sum and substance that
21 you have no knowledge, again broadly
22 defined, regarding who may have scheduled
23 Plaintiff for work shifts or regarding who
24 might have been involved in any way with
25 scheduling Plaintiff's work shifts?

1 M. GEYER

2 -- or would a manager write a schedule?

3 Q Good distinction. Thank you.
4 I'm saying specifics. I understand that
5 you already testified that you might know
6 generally policies with respect to work
7 scheduling, right?

8 A Correct.

9 Q But I remember in sum and
10 substance that you -- again correct me if
11 my memory is incorrect or if I am wrong,
12 okay?

13 A Yes.

14 Q I remember you testifying that
15 scheduling work shifts with respect to
16 scheduling Plaintiff's work shifts you
17 have absolutely no knowledge, again
18 broadly defined with respect to knowledge,
19 who may have been involved in scheduling
20 the Plaintiff's work shifts; is that
21 correct?

22 A That's correct.

23 Q And you've never had such
24 knowledge?

25 A I don't have any knowledge of

1 M. GEYER

2 that.

3 Q And you've never had any
4 knowledge?

5 A Never had any knowledge of that.

6 Q Because you again testified
7 during your deposition that you had no
8 knowledge -- again broadly defined with
9 knowledge -- with respect to Plaintiff
10 specifically?

11 MS. WELCH: Objection. Asked
12 and answered.

13 A No, correct.

14 Q And at no time did you have such
15 knowledge with respect to Plaintiff
16 specifically, correct?

17 MS. WELCH: Objection. Asked
18 and answered.

19 A Correct.

20 Q This might be another quick
21 deposition for you, just so you know.

22 Do you have any knowledge of
23 whether the --

24 MS. MORRISON: Strike that.

25 Q Have you ever had any knowledge

1 M. GEYER

2 Q Okay, no need to allude. What
3 are you referring to in terms of your
4 deposition statement?

5 A I mean --

6 Q I'm not looking at your -- just
7 so you know, I'm not looking at your
8 deposition statement.

9 A I mean, well, specifically, I
10 know who her former store managers are.

11 Q Okay, do you know -- do you have
12 any knowledge with respect to who
13 specifically supervised her?

14 A Well, I mean...

15 Q Other than that generally
16 speaking store managers are supposed to
17 supervise someone?

18 A Obviously that statement is
19 true, right, that the store managers are
20 going to supervise their employees, but
21 additionally so could her assistant
22 managers as well. With some regards, you
23 know, you might take some task direction
24 from a shift leader too as well, so
25 specifically I don't know who was giving

1 M. GEYER

2 her...

3 Q Who was supervising her at all?

4 A Day in and day out, no, but I
5 know who the store managers were in the
6 location in which she worked.

7 Q Understood, so your knowledge as
8 to who may have been involved in
9 Plaintiff's supervision is based on just
10 generally who would be involved in such
11 things?

12 A General. General knowledge.

13 Q Again as you've testified to on
14 your first day?

15 A Correct.

16 Q You have no only general
17 knowledge about policies and practices; is
18 that correct?

19 A Correct.

20 Q You don't have any knowledge
21 with respect to Plaintiff specifically?

22 A Not Plaintiff specifically.

23 Q And the same is true with
24 respect to --

25 MS. MORRISON: Strike that.

1 M. GEYER

2 Q Did anyone ever ask you to
3 review Defendants' interrogatory responses
4 and verify whether or not those responses
5 were accurate?

6 A Yes.

7 Q Was it one of your attorneys?

8 A Yes.

9 Q Do you know when they asked you
10 to do that? It doesn't have to be an exact
11 date. A month and a year would be great.

12 A A week or so ago.

13 Q A week ago or so?

14 A Yes.

15 Q Not before a week or so ago?

16 A Not that I recall.

17 Q We are in 2018.

18 A Correct.

19 Q We're in the year 2018. Did
20 anyone ask you to review Defendants'
21 interrogatory responses to verify or
22 confirm that those responses are accurate
23 in 2017?

24 A I don't recall that.

25 Q But you don't think so?

1 M. GEYER

2 Q Is it possible that you signed
3 the document and Aaron Warshaw signed the
4 document within a -- longer than a few
5 days' time lapse?

6 MS. WELCH: Objection to the
7 form.

8 Go ahead.

9 A I suppose that's possible.

10 Q More than a week time lapse
11 between the two? Is that possible?

12 A It's possible.

13 Q I am just trying to understand.
14 So to your knowledge, you do not know when
15 Aaron Warshaw signed this document and
16 serving as the notary public, correct?

17 A I do not know when he signed it.

18 MS. WELCH: You do know there's
19 an H in Warshaw?

20 MS. MORRISON: Oh, that's my
21 pronunciation. I'm saying Warsaw
22 instead of Warshaw. Sorry.

23 Q But you understand we are
24 talking about defense counsel, right?

25 A Yes.

1 M. GEYER

2 Guerrero, Crystal Beckrum, Miguel Brito,
3 and Germaine Allen."

4 Brito is spelled B-R-I-T-O. Do
5 you see that?

6 A Yes.

7 Q Do you have any reason to
8 believe that that statement that
9 Defendants made in response to
10 interrogatory number ten was inaccurate
11 when made?

12 A No.

13 Q Do you have any reason to
14 believe that that statement by Defendants
15 was inaccurate at any time?

16 A No.

17 Q Now, with respect to Defendants'
18 interrogatory number ten's response, did
19 you --

20 MS. MORRISON: Strike that.

21 Q Did you have any basis upon
22 which to conclude whether or not
23 Defendants' interrogatory response to
24 number ten was accurate?

25 A I don't know that I understand

1 M. GEYER

2 you 100 percent.

3 Q Not a problem. You just
4 testified that you had no reason to
5 believe that Defendants' response to
6 interrogatory number ten is inaccurate,
7 correct?

8 A Correct.

9 Q So do you have any basis,
10 support, or information at all to support
11 your claim that Defendants' interrogatory
12 response to number ten is accurate or not
13 accurate?

14 A I do not.

15 Q Did you have any knowledge --
16 again, knowledge as we stated before,
17 generally and broadly stated, meaning did
18 you ever review any documents or witness
19 personally or see anything or be told
20 anything, what have you, upon which to --
21 for you to reliably conclude whether or
22 not Defendants' interrogatory response to
23 number ten was accurate?

24 A No.

25 Q So you have no basis upon which

1 M. GEYER

2 explain that you should please just
3 say objection. Please don't say the
4 source of your objection. In other
5 words, don't say asked and answered or
6 whatever else.

7 MS. WELCH: Sure. Sure.

8 MS. MORRISON: Gotcha.

9 Q You can answer.

10 A Oh, can you read back the
11 question?

12 MS. WELCH: Read back the
13 question, please.

14 [Whereupon, the requested
15 portion of the record was read back by
16 the Court Reporter.]

17 A That is correct.

18 Q How about Defendants' response
19 to interrogatory number six that we
20 discussed earlier? What is your basis, if
21 you have any basis, upon which to whether
22 or not whether or not Defendants' response
23 to interrogatory number six is accurate or
24 not accurate?

25 A Six or nine?

1 M. GEYER

2 MS. WELCH: Number six?

3 Q Interrogatory number six on page
4 nine.

5 A No, I don't.

6 Q You have no basis upon which to
7 determine whether or not Defendants'
8 response to interrogatory number six is
9 accurate or inaccurate?

10 A I do not.

11 Q Correct?

12 A Correct.

13 Q Meaning you have no personal
14 knowledge? In other words, you never
15 witnessed or reviewed any information or
16 spoke to anyone or otherwise to determine
17 or to know any information related to
18 whether or not someone was involved in
19 responding to the Plaintiff's complaints?

20 A No, I don't.

21 Q And how about Defendants'
22 response to interrogatory number five? Do
23 you have any knowledge -- and again
24 broadly -- whether you reviewed any
25 documents, spoke to anyone, witnessed

1 M. GEYER

2 personally, or anything of the like upon
3 which to make a determination of whether
4 or not Defendants' response to
5 interrogatory number five is accurate or
6 inaccurate?

7 MS. WELCH: Objection.

8 Go ahead.

9 A No.

10 Q Meaning you have no basis upon
11 which to conclude --

12 A No.

13 Q -- the veracity or lack thereof
14 of Defendants' interrogatory number five's
15 response?

16 A Correct.

17 Q And how about interrogatory --
18 actually, I'll go to the page first and
19 then I'll give you the interrogatory
20 number.

21 A Yes.

22 Q How about page six? It says
23 responses and objections to Plaintiff's
24 first set of interrogatories. Do you see
25 that?

1 M. GEYER

2 Q At the time when you reviewed
3 did you understand that where it says
4 response to interrogatory number one that
5 was Defendants' response to interrogatory
6 number one?

7 A Yes.

8 Q Please turn the page, page
9 seven. Go to the top of page seven. It
10 says: "Subject to and without waiving
11 these objections the Walgreens and Duane
12 Reade Defendants respond. Ciera
13 Washington, Luis Guerrero, Crystal
14 Beckrum, Vivian Ghobrial, Germaine Allen,
15 Troy Hennessy, and Robert Petrarchi."

16 Petrarchi is spelled
17 P-E-T-R-A-R-C-H-I. Do you see that?

18 A Yes.

19 Q You understand that that is part
20 of Defendants' response to interrogatory
21 number one, correct?

22 A Yes.

23 Q And do you have any basis upon
24 which to determine if that response is
25 accurate?

1 M. GEYER

2 A Nope.

3 Q Did you ever have any basis upon
4 which to determine if that response was
5 accurate?

6 A No.

7 Q Turning to interrogatory number
8 two, it says: "Identify each person with
9 dates who was involved in any way,
10 directly, indirectly, authorized,
11 unauthorized, formal, informal, in
12 supervising Plaintiff's work performance
13 directly or indirectly, formally or
14 informally, at any time during Plaintiff's
15 employment with Defendants."

16 Do you see that?

17 A I do.

18 Q And do you see below this it
19 says the response to interrogatory number
20 two?

21 A Yes.

22 Q At the time when you reviewed
23 the -- and you reviewed this interrogatory
24 response as well?

25 A Correct.

1 M. GEYER

2 of these, you understand I mean, do you
3 have any knowledge at all reviewing
4 documents, what have you?

5 A Correct.

6 Q And when responding that you
7 have no basis at any time during this
8 deposition during this last line of
9 questioning, the last half hour, that's
10 your understanding of the basis; is that
11 correct?

12 A Correct.

13 Q So again you don't really have
14 -- at the time that you reviewed
15 Defendants' response to the interrogatory
16 as well, you had no information upon which
17 to definitively state whether this
18 response was accurate, correct?

19 A Correct.

20 Q So let's now turn to the next
21 page, eight. It says interrogatory number
22 four.

23 A Yes.

24 Q That says: "Identify each person
25 with dates who was involved in any way

1 M. GEYER

2 directly on indirectly, authorized,
3 unauthorized, formal, informal, in
4 investigating or looking into purported
5 claims that Plaintiff was involved in the
6 robbery that occurred on Defendants' work
7 premises or around December 2015."

8 Do you see that?

9 A I do.

10 Q And below that it says response
11 to interrogatory number four?

12 A Yes.

13 Q And again when you reviewed --
14 you reviewed this response as well,
15 correct?

16 A Yes.

17 Q And at the time that you
18 reviewed this response to determine if it
19 was accurate your understanding it was
20 Defendants' response to interrogatory
21 number four, correct?

22 A Yes.

23 Q And it states: "Subject to and
24 without waiving these objections Walgreens
25 and Duane Reade respond Defendants are not

1 M. GEYER

2 aware of any person who was involved in
3 any way in investigating or looking into
4 the purported claim that Plaintiff was
5 involved in robbery that occurred on
6 Defendants' work premises on or around
7 December 2015."

8 Do you see that?

9 A Yes.

10 Q At the time when you reviewed
11 Defendants' response to interrogatory
12 number four, did you have any information
13 whatsoever including reviewing documents,
14 speaking to people or witnessing anything
15 yourself, any information, what have you,
16 to determine if Defendants' response here
17 is accurate?

18 A No.

19 Q Have you ever had any
20 information upon which to determine if
21 Defendants' response to interrogatory
22 number four was accurate?

23 A No.

24 Q And the same -- I apologize if
25 I'm asking a duplicative question, but the

1 M. GEYER

2 same is true with respect to

3 Defendants' --

4 MS. MORRISON: Strike that.

5 Q Interrogatory number three, page
6 seven states: "Identify each person with
7 dates who was involved in any way
8 directly, indirectly, authorized,
9 unauthorized, formal, informal, in
10 investigating or looking into the assault
11 of Plaintiff and related robbery that
12 occurred on Defendants' work premises on
13 or around December 2015."

14 Do you see that?

15 A I do.

16 Q And do you see below that it
17 says response to interrogatory number
18 three?

19 A I do.

20 Q And at the time when you
21 reviewed this response to determine if it
22 was accurate, you understood that this was
23 Defendants' response to interrogatory
24 number three, correct?

25 A Correct.

1 M. GEYER

2 Q It says: "Subject to and without
3 waiving its objections, Walgreens and
4 Duane Reade Defendants respond Robert
5 Petrarchi."

6 Do you see that?

7 A Yes.

8 Q At the time that you reviewed
9 Defendants' response to interrogatory
10 number three, did you have any information
11 at any time to be able to determine if
12 Defendants' response was accurate?

13 A No.

14 Q Have you ever had any
15 information to determine if Defendants'
16 response to interrogatory number three is
17 accurate?

18 A No.

19 Q Turn to the next page.
20 Interrogatory number four states: "In
21 response Defendants are not aware of any
22 person who was involved in any way in
23 investigating or looking into the
24 purported claims that Plaintiff was
25 involved in the robbery that occurred on

1 M. GEYER

2 ever had any --

3 MS. MORRISON: Strike that.

4 Q At the time when you reviewed
5 Defendants' response to interrogatory
6 number five to determine if it was
7 accurate, did you have any information at
8 all upon which to make that determination?

9 A No.

10 Q Have you ever had any
11 information at all either witnessing or
12 reviewing documents or speaking to anyone,
13 any information at all upon which to
14 determine if Defendants' response to
15 interrogatory number five was accurate?

16 A No.

17 Q And how about the same response
18 with respect to Defendants' interrogatory
19 number six? Have you ever had any
20 information upon which to determine if
21 Defendants' response to interrogatory
22 number six was accurate?

23 A No.

24 Q Including at the time when you
25 reviewed Defendants' response to

1 M. GEYER

2 interrogatory number six to determine if
3 it was accurate?

4 A No.

5 Q So it includes that. At the
6 time when you reviewed Defendants'
7 responses to interrogatory number six, you
8 had no information whatsoever upon which
9 to determine if Defendants' response to
10 interrogatory number six was accurate,
11 correct?

12 A No, correct.

13 Q Okay, Mr. Geyer, let's now turn
14 to the last page of Defendants'
15 interrogatory responses. That is page 12.
16 Do you see it says interrogatory number
17 13?

18 A Yes.

19 Q Interrogatory number 13 states:
20 "State whether the answers to these
21 interrogates are based solely upon the
22 personal knowledge of the individual
23 person citing the interrogatories, and is
24 the answer is other than an unqualified
25 yes, please identify," and it lists A, B,

1 M. GEYER

2 accurate, did you review that statement,
3 "state whether the answers to these
4 interrogatories are based solely upon the
5 personally knowledge of the individuals
6 signing the interrogatories"?

7 A Yes.

8 Q At the time when you reviewed
9 that interrogatory, was it your
10 understanding that you were the person
11 that was signing Defendants'
12 interrogatories?

13 A Yes.

14 Q And was it your understanding at
15 that time that you were the person who was
16 signing all of Defendants' interrogatory
17 responses?

18 A Yes.

19 Q At the time when you reviewed
20 each and every one of Defendants'
21 interrogatory responses, you already
22 testified that you didn't have any
23 knowledge or information upon which to
24 determine if each and every one of
25 Defendants' interrogatory responses were

1 M. GEYER

2 correct, right?

3 A Yes.

4 Q At the time when you reviewed
5 Defendants' interrogatory responses to
6 determine if they were accurate did you
7 have any information upon which to respond
8 to the question "please identify each
9 person on whose personal knowledge the
10 answer to any interrogatory or any part of
11 the interrogatory is based in whole or in
12 part"?

13 A No.

14 Q And you understand what that
15 means?

16 A Um-hmm, yes.

17 Q So at the time that you reviewed
18 interrogatory number 13 to determine if
19 it's accurate -- if Defendants can make an
20 accurate response, you did not have any
21 personal knowledge with respect to
22 Defendants' interrogatory responses but
23 you also did not know if anyone else did,
24 correct?

25 A That is correct.